

the matter being personal to himself, and Senator Hudspeth was called to the Chair.

The Chair, Senator Hudspeth, overruled the point of order.

Adjournment.

Senator Nugent, at 1 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was adopted by the following vote:

Yeas—12.

Conner.	Page.
Cowell.	Smith.
Johnson.	Suiter.
Lattimore.	Townsend.
McNealus.	Westbrook.
Nugent.	Wiley.

Nays—10.

Astin,	Gibson.
Bee.	Harley.
Brelsford.	King.
Clark.	Morrow.
Darwin.	Parr.

Absent.

Harris.	Robbins.
McCollum.	

Pairs Recorded.

Senator Henderson (present), who would vote "yea"; Senator Hall (absent), who would vote "nay."

Senator Bailey of De Witt (present), who would vote "nay"; Senator McGregor (absent), who would vote "yea."

Senator Hudspeth (present), who would vote "yea"; Senator Bailey of Harris (absent), who would vote "nay."

APPENDIX.

Petitions and Memorials.

Senator McNealus: Letter from T. L. Bell, a traveling man, stationed at Dallas, opposing "Gibson" bill.

Senator Smith: Letter from Sam Howeth, member of Farmers' Union, Pine Hill, Texas, opposing "Gibson" bill.

Senator Bailey of De Witt: Telegram from J. O. B. Young and ten others, Edna, Texas, and J. T. Bivens and nine others, of Pearsall, Texas, favoring "Gibson" bill.

Senator McCollum: Telegram from J. E. Cherry, Rockdale, Texas, favoring warehouse law.

Senator Nugent: Petition from numerous citizens of Walker County, opposing "Gibson" bill.

Senator Hudspeth: Telegrams from Menard, Texas, opposing, and J. G. Murphy, of San Angelo, favoring "Gibson" bill.

Senator Conner: Telegram, signed by W. R. McClellan and nine other citizens of Coleman, Texas, opposing "Gibson" bill.

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, May 18, 1915.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Wiley.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin,	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McGregor.
Clark.	McNealus.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.

Absent.

Morrow.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Harley.

See appendix for notice of Petitions and Memorials.

Messages From the Governor.

A messenger from the Governor's office here appeared at the bar of

the Senate and presented the following "Messages from the Governor":

Governor's Office,

Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

At the request of Senator L. H. Bailey of Harris, I cheerfully submit for your consideration the matter of creating and establishing in Harris County an additional court for concurrent jurisdiction in civil cases with the County Court at Law of Harris County, with such amendments, provisions and conditions as the Legislature may in its wisdom provide.

Respectfully submitted,

JAS. E. FERGUSON,

Governor of Texas.

Governor's Office,

Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

At the request of Hon. P. L. Parker of Henderson, I herewith submit for your special consideration a bill hereto attached, creating the Greensborough County Line Independent School District in Henderson and Van Zandt Counties, Texas, together with such amendments, provisions and conditions as you may provide.

Respectfully submitted,

JAS. E. FERGUSON,

Governor of Texas.

H. B. No. . . . By Parker.

A BILL

To be entitled

An Act creating Greensborough County-Line Independent School District, situated in Henderson and Van Zandt Counties; defining its metes and bounds; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees therefor, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there is hereby created and established in Henderson and Van Zandt Counties, Texas, an incorporation for free school purposes only, under the name and to be known as the Greensborough County-Line Independent School District, which shall include within its limits the following described territory, to wit:

Beginning at a point on Battle

Creek where Van Zandt and Henderson County line crosses Battle Creek;

Thence north with the west boundary line of a tract of land owned by M. L. Davenport, to the northwest corner of same;

Thence north with the east boundary line of a tract known as the Stanberry tract to the Tyler and Canton road;

Thence in a southeasterly direction to the Neches River;

Thence south with river to county line;

Thence south with river to the northeast corner of a tract of land owned by E. L. Green;

Thence west with north boundary line of said tract to the northwest corner of same;

Thence west with the north boundary line of a tract of land owned by B. A. Fitzgerald, to the east boundary line of a tract known as the Johnson tract;

Thence north with east boundary line to S. E. corner of a tract owned by a Mrs. Coleman;

Thence west with south boundary line to S. W. corner of same;

Thence north with east boundary line to S. W. corner.

Thence west with north boundary line of a tract owned by W. K. Wide-man, to N. W. corner of same;

Thence south with west boundary line to N. W. corner of a tract owned by W. M. Rhodes;

Thence South with west boundary line to N. W. corner of a tract owned by a Mr. Honeycutt;

Thence south with west boundary line to north boundary line of a tract owned by Jule Birdwell;

Thence west with said line to N. W. corner of same;

Thence south with west boundary line of said tract to S. E. corner of a tract owned by Lizzie Williams;

Thence west with south boundary line of same to Battle Creek;

Thence in a northwesterly direction with Battle Creek to place of beginning, containing approximately ten (10) square miles.

Sec. 2. That said Greensborough County-Line Independent School District should have and exercise, and is hereby vested with all of the rights, powers, privileges and duties of a town or village incorporated under the General Laws of the State for free school purposes only; and the board of trustees for the said Greensborough County-Line Independent

School District shall have and exercise, and is hereby vested and charged with, all the rights, powers, privileges and duties conferred and imposed by the General Laws of this State upon the trustees of independent school districts created and organized for free school purposes only under the General Laws of this State. Among the rights, powers, privileges and duties herein mentioned shall be the rights and powers of levying and collecting taxes, for the issuance of bonds and the erection of schoolhouses, and for the maintenance of the public schools as is provided under the General Laws for the levying and collection of taxes for the said purposes in towns and villages incorporated for public free school purposes only.

Sec. 3. The management and control of the public free schools within said district is hereby vested in a board of trustees, which board shall be composed of seven (7) persons, resident citizens and qualified voters within the district, each of whom shall make and subscribe to the usual oath for the faithful and impartial discharge of the duties of his office.

Sec. 4. The said Greensborough County-Line Independent School District shall be attached to Henderson County for school purposes only, and at the regular election on the first Saturday in May, 1915, for the purpose of electing school trustees, there shall be elected seven (7) trustees, who shall decide among themselves which ones of them shall serve for one year and which ones shall serve for two years, in accordance with the General Laws of the State.

Sec. 5. The deplorable condition of the public free schools within the territory herein described, being without adequate school accommodations, and without necessary funds to provide the same, together with the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

I beg to submit for your special

consideration the question of legislation by proper act to amend the road law in Wilson County, Texas, so as to properly regulate and provide for the compensation to be paid county commissioners of said Wilson County when serving in the capacity of superintendents of buildings and inspecting public roads in said county.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

I hereby submit for your consideration the question of correcting a provision in our Criminal Procedure so as to prescribe that the recognizance or bail bond to be given on appeal in felony cases will hold the defendant for a new trial in case of a reversal of the case. The Court of Criminal Appeals has held in the case of Sanders vs. the State, 158 S. W. R., page 291, that upon a reversal of the felony case that the sureties on the defendant's bond are released, and the Court of Appeals has stated that this provision of the law should be corrected in accordance with the suggestions here made.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

I hereby submit for your consideration H. B. No. 133, introduced at the Regular Session by Honorable D. H. Biggers and Honorable T. F. Baker; same being an Act declaring prairie dogs as a public nuisance, and providing for the destruction of same by landowners upon whose property prairie dogs exist, together with such amendments, conditions and provisions as the Legislature in its wisdom may provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

I hereby submit for your consideration the passage of an Act regulating

the business of co-operative savings contract loan companies, defining such business, providing that all persons, firms, associations, joint stock companies, and corporations engaged in such business shall be subject to the provisions thereof as provided, providing, that corporations to engage in the business of co-operative savings and contract loan companies may be chartered, and setting forth the terms upon which they may be chartered, defining the powers, duties and liabilities of such corporations, persons, firms, associations, and joint stock companies under the supervision and control of the Commissioner of Insurance and Banking, as specified therein, providing certain duties of said officer relative thereto, and defining in what manner these duties shall be performed; creating offenses for violations therefor, and declaring an emergency, together with such amendments, additions and provisions as the Legislature in its wisdom may provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

At the request of Senator Archie Parr and other prominent citizens, I hereby submit for your special consideration the question of a division of Duval County; to be in such manner and form and to contain such amendments, provisions and conditions as in the discretion of your honorable body you may think proper.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

In accordance with petition signed by various members of the Legislature, I submit for your special consideration H. B. No. 450, submitted at the Regular Session of the Thirty-fourth Legislature; same being an Act providing for the incorporation of medical milk commissioners and a certificate of milk products under their supervision, together with such amendments, conditions and

provisions as the Legislature may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

I hereby submit for your special consideration H. B. No. 529, as submitted at the Regular Session of your honorable body; same being an Act to suspend time for the payment of principal that has become due on former sales of land, belonging to the Public Free School Fund, University Fund, and the several Asylum Funds, together with such amendments, provisions and conditions as the Legislature may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

At the request of Honorable M. M. McFarland, of Brewster county, I hereby submit for your special consideration a bill, hereto attached, having for its purpose the amendment of Article 1372, Chapter 12, Title 17, of the Revised Penal Code of Texas, and Article 7184, Chapter 3, Title 124, of the Revised Civil Statutes of Texas, relating to the regulation of the butcher business and the detection of persons illegally handling and butchering of animals, together with such amendments, provisions and conditions as the Legislature may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

By McFarland. H. B. No. . .

A BILL

To be entitled

An Act to amend Article 1372, Chapter 12, Title 17, of the Revised Penal Code of Texas, and Article 7184, Chapter 3, Title 124, of the Revised Civil Statutes of Texas, which chapters relate to the regulations of the butcher business and

to the detection of persons illegally handling and butchering of animals, and prescribing bond, rules, regulations and penalties in connection therewith,—said articles amended hereby made a large number of counties as being exempt from the provisions of said chapters, and it is the purpose of this Act to reduce the number of counties so exempt, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Article 1372, Chapter 12, Title 17, of the Revised Penal Code of Texas, and Article 7184, Chapter 3, Title 124, of the Revised Civil Statutes of Texas, be so amended as to hereafter read as follows:

Article 1372 (Penal Code): The provisions of this law shall not apply to either of the following counties: Galveston, Harris, Montgomery, Walker, San Jacinto, Chambers, Liberty, Jefferson, Hardin, Orange, Newton, Jasper, Tyler, Polk, Trinity, Houston, Cherokee, Nacogdoches, Angleton, San Augustine, Sabine, Shelby, Panola, Franklin, Camp, Titus, Morris, Cass, Bowie, Red River, Delta, Lamar, Fannin, Grayson, Collin, Hunt, Dallas, Tarrant, Johnson, Ellis, Kaufman, Van Zandt, Henderson, Anderson, Navarro, Hill, McLennan, Limestone, Freestone, Leon, Madison, Grimes, Waller, Austin, Fayette, Bastrop, Lee, Washington, Burleson, Brazos, Milam, Robertson, Falls, Bell, Williamson, Travis and Bexar.

Article 7184 (Civil Statutes): The provisions of the five preceding articles shall in nowise apply to the following counties: Galveston, Harris, Montgomery, Walker, San Jacinto, Chambers, Liberty, Jefferson, Hardin, Orange, Newton, Jasper, Tyler, Polk, Trinity, Houston, Cherokee, Nacogdoches, Angelina, San Augustine, Sabine, Shelby, Panola, Rusk, Smith, Gregg, Harrison, Marion, Upshur, Wood, Rains, Hopkins, Franklin, Camp, Titus, Morris, Cass, Bowie, Red River, Delta, Lamar, Fannin, Grayson, Collin, Hunt, Dallas, Tarrant, Johnson, Ellis, Kaufman, Van Zandt, Henderson, Anderson, Navarro, Hill, McLennan, Limestone, Freestone, Leon, Madison, Grimes, Waller, Austin, Fayette, Bastrop, Lee, Washington, Burleson, Brazos, Milam, Robertson, Falls, Bell, Williamson, Travis, and Bexar.

There being no reason why the

wholesome provisions of the laws referred to in the title of this bill should not apply to all that part of Texas peculiarly adapted to the raising of live stock; and whereas, the high price of cattle has brought on an increase in the crime of cattle theft and unlawful handling and butchering of cattle, which would be largely prevented if the butcher law were more in force more generally in counties now exempt therefrom, an emergency exists demanding that the rule requiring bills to be read on three separate days should be abrogated, and the same is hereby abrogated, and this Act shall be in effect from and after its passage.

• Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in Called Session:

The Democratic party is committed to all necessary reforms of our judicial procedure. Continued consideration of other matters of legislation will prevent your body from giving proper attention to judicial reforms at this session.

In order, however, that we keep faith with the people in our promise to give attention to this matter, I submit for your consideration the question and advisability of appointing a Judicial Commission, consisting of five or more members to study the question of judicial reform and report back to the next session of the Legislature.

Above all things, though, there should be no salary attached to this commission. The jurists of Texas, who are competent to suggest this reform, will render this service patriotically for the good of the State. I have no doubt of the State being able to secure the most competent commission to perform this service without purchase and without price.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in Called Session:

In pursuance of a resolution passed by the Senate, I submit for your consideration Simple Resolution No. 10, hereto attached, having for its purpose the printing and furnishing the people within a short time

after they are passed the Acts of the Legislature, together with such amendments, provisions and conditions as the Legislature may in its discretion prescribe.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Simple Resolution No. 10.

Resolved, That the Governor of this State be requested to submit to the Legislature at this present Special Session, the subject of providing for printing the Acts of the Legislature, to the end that the laws may be printed and furnished the people within a short time after they are passed.

MORROW,
HARLEY,
M'NEALUS.

The above Simple Resolution No. 10 was introduced in the Senate by Senator Morrow, and was read and adopted this the 5th day of May, 1915.

W. V. HOWERTON,
Secretary of the Senate.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in Called Session:

I hereby submit for your special consideration an Act, hereto attached, to amend Chapter 48 of the General Laws of the State of Texas, passed by the Thirty-fourth Legislature at its Regular Session, being an Act to reorganize the Twenty-eighth Judicial District and to create the Seventy-ninth Judicial District of Texas; said Act being for the fixing of more convenient and proper time for holding court.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

By Dunn.

H. B. No. —

A BILL

To be entitled

An Act to amend Chapter 48 of the General Laws of the State of Texas, passed by the Thirty-fourth Legislature, at its Regular Session, entitled "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create

the Seventy-ninth Judicial District in the State of Texas; to fix the time of holding the courts in each of said districts; to provide for the appointment of a district judge and district attorney for the Seventy-ninth Judicial District; to make all process heretofore issued, as well as bonds and recognizances heretofore entered into conform thereto; to repeal all laws in conflict herewith, and declaring an emergency;" changing the time fixed for holding court in the Twenty-eighth Judicial District, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Twenty-eighth Judicial District of the State of Texas shall be composed of the counties of Nueces, Kleberg, Willacy, and Cameron, and the terms of the district court shall be held therein each year as follows:

In the county of Nueces on the first Monday in January, and may continue in session ten weeks; on the second Monday in July, and may continue in session ten weeks.

In the county of Kleberg on the tenth Monday after the first Monday in January, and may continue in session four weeks; on the tenth Monday after the second Monday in July, and may continue in session four weeks.

In the county of Willacy on the fourteenth Monday after the first Monday in January, and may continue in session one week; on the fourteenth Monday after the second Monday in July, and may continue in session one week.

In the county of Cameron on the fifteenth Monday after the first Monday in January, and may continue in session eight weeks; on the fifteenth Monday after the second Monday in July, and may continue in session eight weeks.

All process, writs and bonds issued, served or executed prior to the taking effect of this Act, and returnable to the terms of said court as heretofore fixed by law in the several counties composing said districts are hereby made returnable to the terms of said court in the several counties as fixed by this Act, and all process heretofore returnable, as well as all bonds and recognizances heretofore entered into in any of said courts, shall be valid and binding as if no change had been made by this

Act in the times of holding said terms of court.

Sec. 2. The Seventy-ninth Judicial District of Texas is hereby created and shall be composed of the counties of Starr, Hidalgo, Brooks, Jim Hogg, Duval, and Jim Wells, and the terms of court of the district shall be held therein each year as follows:

In the county of Starr on the first Monday in February of each year, and may continue in session three weeks; on the first Monday in September in each year, and may continue in session three weeks.

In the county of Hidalgo on the third Monday after the first Monday in February of each year, and may continue in session six weeks; on the third Monday after the first Monday in September, and may continue in session four weeks.

In the county of Brooks on the ninth Monday after the first Monday in February of each year, and may continue in session four weeks; on the seventh Monday after the first Monday in September, and may continue in session four weeks.

In the county of Jim Hogg on the thirteenth Monday after the first Monday in February of each year, and may continue in session two weeks; on the eleventh Monday after the first Monday in September, and may continue in session two weeks.

In the county of Duval on the fifteenth Monday after the first Monday in February of each year, and may continue in session four weeks; on the thirteenth Monday after the first Monday in September, and may continue in session until December 31 of each year.

In the county of Jim Wells on the nineteenth Monday after the first Monday in February of each year, and may continue in session four weeks; on the first Monday in January of each year, and may continue in session until the first Monday in February of each year.

That all process, writs and bonds issued, served or executed prior to the taking effect of this Act and returnable to the terms of said court in each of the said counties composing said judicial district, and all process heretofore returnable, as well as all bonds and recognizances heretofore entered into, in any of said counties, shall be as valid and binding as if no change had been made by this Act in

the times of holding said terms of court.

Sec. 3. The present district judge and district attorney of the Twenty-eighth Judicial District, as the same now exists, being residents of the Twenty-eighth Judicial District, as recognized under the provisions of this Act, shall hold their offices until the time for which they were elected shall expire and their successors are duly elected and qualified.

Sec. 4. The Governor, immediately upon the taking effect of this Act, shall appoint a suitable person as district judge of the Seventy-ninth Judicial District, and a suitable person as district attorney for the Seventy-ninth Judicial District, respectively, each of whom shall hold his office until the next general election, and his successor is duly elected and qualified.

Sec. 5. That all process issued or served before this Act goes into effect, including recognizances and bonds, returnable to the district court of any of said counties, shall be considered as returnable to said courts in accordance with the terms as prescribed by this Act, and all such process is hereby legalized, and all grand and petit juries drawn and selected under existing laws in any of the counties in said judicial district shall be considered lawfully drawn and selected for the next term of the district court for their respective counties held in accordance with this Act; provided, that if any court in any county of said judicial district shall be in session at the time this Act takes effect, such court shall continue in session until the term thereof shall expire under the provisions of existing laws. Thereafter the courts of said county or counties shall conform to the requirements of this Act.

Sec. 6. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 7. The rapid settlement of the counties mentioned in this Act and the crowded condition of the dockets of the district courts of the various counties in said judicial districts and the want of time for disposing of the business of the district courts of said counties creates an imperative public necessity and an emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days

in each house, and said rule is now hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in Called Session:

At the request of Senator Hall, I herewith submit for your special consideration a bill hereto attached, looking to the reorganization of the Twenty-third Judicial District of Texas, and to create the Eightieth (80th) Judicial District of Texas, together with such amendments, conditions and provisions as your honorable body may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

By Hall.

S. B. No. —

A BILL

To be entitled

An Act to reorganize the Twenty-third Judicial District of Texas, and to create the Eightieth Judicial District of Texas, and to fix the time of holding the courts in said districts; and to fix the jurisdiction of the court for the Eightieth Judicial District of the State of Texas, and providing that the criminal district attorney of Harris county shall represent the State in all criminal cases in the district court in said Eightieth Judicial District in Harris county; that the county attorney of Waller county shall perform the duties prescribed by law, both for district and county attorneys, in all suits instituted in the Eightieth Judicial District in Waller county, and providing that the clerks of the district courts of the several counties composing the Twenty-third Judicial District of Texas, as reorganized by this bill, shall continue as the district clerks of said district in the several counties, and that the present incumbent of the office of district clerk, and his successor in office, of Waller county, be continued as the district clerk of the Eightieth Judicial District of Texas, in said county, and that the present incumbent of the office of district clerk of Harris county, and his successor in office, per-

form the duties, have the authority and be the clerk of the district court of the Eightieth Judicial District of Texas for Harris county; and providing for the transfer of cases from one district court to another in Harris county; and to repeal all laws and parts of laws in conflict herewith, and to declare an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Twenty-third Judicial District of Texas shall be composed of the counties of Brazoria, Fort Bend, Wharton, and Matagorda, and the terms of the district court in said counties shall be held therein in each year as follows:

In the county of Brazoria, beginning on the first Monday in September of each year, and may continue in session for five weeks.

In the county of Fort Bend, beginning on the fifth Monday after the first Monday in September of each year, and may continue in session for five weeks.

In the county of Wharton, beginning on the tenth Monday after the first Monday in September of each year, and may continue in session five weeks.

In the county of Matagorda, beginning on the seventeenth Monday after the first Monday in September of each year, and may continue in session five weeks.

In the county of Brazoria, beginning on the second Monday in February of each year, and may continue in session for six weeks.

In the county of Fort Bend, beginning on the sixth Monday after the second Monday in February of each year, and may continue in session for six weeks.

In the county of Wharton, beginning on the twelfth Monday after the second Monday in February of each year, and may continue in session for six weeks.

In the county of Matagorda, beginning on the eighteenth Monday after the second Monday in February of each year and may continue in session for six weeks.

Sec. 2. That the Eightieth Judicial District of Texas is hereby created and shall be composed of the counties of Harris and Waller, and the terms of the district court shall be held therein in each as follows:

In the county of Harris, begin-

ning on the first Monday in January, February, March, May, June, July, September, November, and December, of each year, and each term may continue in session four weeks.

In the county of Waller, beginning on the first Monday in April, August, and October of each year, and each term may continue in session four weeks.

Sec. 3. The Governor of the State of Texas is hereby authorized and empowered to appoint some person having the qualifications provided by law for district judge as the judge of the district court of the Eightieth Judicial District of Texas, who shall hold his office until the next general election for State offices in the State of Texas, and until his successor is elected and qualified, as is provided by law. He shall receive the same salary that is now provided, or may hereafter be provided, to be paid to district judges, and in like manner.

Sec. 4. That the district judge of the Twenty-third Judicial District of Texas elected and now acting as judge for said district shall hold his office until the term for which he was elected shall expire, and until his successor is duly elected and qualified.

Sec. 5. That the criminal district attorney of Harris county, and his successor in office, shall represent the State in all criminal matters arising in and prosecuted in the district court for the Eightieth Judicial District of Texas in Harris county, and shall perform the same duties pertaining to suits in said court imposed upon him by law for the other district courts of Harris county.

Sec. 6. That the clerk of the district court of Harris county, as that office is now constituted, and his successor in office, shall be the clerk of the district court of the Eightieth Judicial District of Texas, and shall perform all the duties pertaining to the clerkship of said court, as well as the duties imposed upon him as the clerk of other district courts of Harris county.

Sec. 7. That the other district courts of Harris county and the district court of the Eightieth Judicial District, in the county of Harris, shall have concurrent jurisdiction with each other throughout the limits of Harris county, in all matters, civil and criminal, of which jurisdiction is given to the district courts by the Constitution and laws of the State.

Sec. 8. That any judge of any dis-

trict court of Harris county may, in his discretion, either in term time or in vacation, transfer any case, civil or criminal, that may at any time be pending in his court, to any other district court in said county, by order entered upon the minutes of the court, making such transfer, and where such transfer is made, the clerk of said court shall enter the case upon the dockets of the court to which the same is transferred, and when the same has so been entered upon the docket, the judge of the court to which the case has been transferred shall try and dispose of said case in the same manner as other cases pending in said court.

Sec. 9. That upon the county attorney of Waller county elected and now acting as such in said county, and his successor in office, is imposed the same duties of representing the State in all matters, both civil and criminal, now imposed by general law upon county and district attorneys in reference to matters of which district courts have jurisdiction under the Constitution and laws of the State, and his compensation shall be that now provided by law for county attorneys in counties having no district attorney.

Sec. 10. That the several district clerks of Brazoria, Fort Bend, Wharton, and Matagorda counties, duly elected and acting as such, shall continue to be the clerks of the district court of their respective counties, until the next general election and until their respective successors are duly elected and qualified.

Sec. 11. That the district judge of the Twenty-third Judicial District of Texas, as the same is now constituted, shall be the district judge of said district as the same is hereby reorganized.

Sec. 12. That all process issued or served before this Act takes effect, including recognizances, and bonds returnable to the district court of any of the counties of the Twenty-third Judicial District, shall be considered as returnable to said courts in accordance with the terms as prescribed in this Act, and all such process is hereby legalized, and grand and petit juries drawn and selected under existing laws in any of the counties of said judicial district shall be considered lawfully drawn and selected for the term of the district court of their respective counties held after this Act takes effect. All such

process is hereby legalized and validated. It is further provided that if any court in any county of said district shall be in session at the time this Act takes effect, such court or courts affected hereby shall continue in session until the term thereof shall expire under the provisions of existing laws, but thereafter the court in such county shall conform to the requirements of this Act.

Sec. 13. The district court of the Eightieth Judicial District shall have such jurisdiction and powers as are conferred upon district courts by the Constitution and existing laws of the State of Texas, and such as shall hereafter be given by law.

Sec. 14. That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 15. The crowded and congested condition of the dockets of the district courts in the counties composing said judicial districts and the want of time for the disposition of business of such courts, creates an imperative public necessity and an emergency exists requiring the suspension of the constitutional rule that bills be read on three several days. Therefore, said constitutional rule is hereby suspended, and this Act shall take effect from and after the passage hereof, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in
Called Session:

At the request of Senator John H. Bailey of DeWitt, I herewith submit for your special consideration a bill, hereto attached, pertaining to the unlawful diversion of the natural flow of surface waters in the State or the impounding the waters of this State in such manner as to damage the property of another, together with such amendments, conditions and provisions as your honorable body may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

[The bill here referred to was not attached to message.]

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in
Called Session:

I hereby submit for your special

consideration a bill, hereto attached, providing that interurban corporations shall have the power to lease or acquire the physical property, rights and franchises of any other interurban corporation, together with such provisions, amendments and conditions as the Legislature may in its wisdom provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

A BILL

To be entitled

An Act providing that any corporation now or hereafter organized under the laws of this State, authorized to construct, acquire and operate electric railways, commonly known as interurban railways, shall have the power to purchase, lease or acquire the physical property, rights and franchises of any other corporation organized for like purposes, or to acquire, lease or purchase the physical properties, rights and franchises of any corporation owning suburban or street railways, and giving to such corporations so acquired, leased or purchased, the right and power to sell or dispose of its properties to such purchasing corporation, all upon such terms as may be agreed upon between the boards of directors of the respective corporations, provided that in case of said street car railways the consent of the city council, board of commissioners, or other governing body, as the case may be, of the city where such street car line may be located, must first be obtained, and also authorized or approved by a majority of the stockholders; and to provide that such corporations may enter into trackage or lease contracts with owners of street railways for passage into or through such towns or cities, the city council, board of commissioners, or other governing body, consenting thereto.

Be it enacted by the Legislature of
of the State of Texas:

Section 1. That any corporation now or hereafter organized under the laws of the State of Texas, authorized to construct, acquire and operate electric lines of railway in this State, commonly known as interurban railways, shall have power to acquire, lease or purchase the physi-

cal properties, rights and franchises of any other corporation having and possessing like power, or shall have power to acquire, lease or purchase physical properties, rights and franchises of any suburban or street railway corporation, the lines of whose railway are to be operated in connection with the lines of the interurban railway, and the right and power to sell or dispose of the physical properties, rights and franchises by such corporation or person owning the same, to such corporation acquiring, leasing or purchasing the same hereunder, is hereby given. Such acquisition or purchase may be made upon such terms as may be agreed upon by the respective boards of directors and authorized or approved by a majority of the stockholders of such corporations, respectively. Provided, further, that corporations owning and operating said street car railways before making sale of its properties hereunder, shall obtain the consent of the city council, board of commissioners, or other governing power, as the case may be, of the city where such street car line may be located, and in cities and towns operating under any charter which provides for the right of qualified voters to vote on the granting or amending of franchises to street railways or interurban railways, this right shall still exist.

Sec. 2. Any corporation so authorized to construct, acquire and operate electric lines of railway in this State, commonly known as interurban railways, shall also have the power to make and enter into trackage or lease contracts with any corporation owning and operating street railways, so as to procure continuous passage into or through such city or town, provided the city council, board of commissioners, or other governing board shall consent thereto, and in such case the owner of such street railway is also authorized to enter into such trackage or lease contract.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in
Called Session:

At the request of a large number of the members of your honorable body, I hereby submit for your special consideration a bill, hereto attached, having for its purpose to amend Section 4, Chapter 86, of the

General Laws of the Thirty-second Legislature of the State of Texas, relating to the issuance of stocks and bonds by the associations and corporations brought under the jurisdiction of the Railroad Commission.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

By Campbell and Beason.

A BILL

To be entitled

An Act to amend Section 4, of Chapter 86, of the General Laws of the Thirty-second Legislature of the State of Texas, relating to the issuance of stocks and bonds by the associations and corporations brought under the jurisdiction of the Railroad Commission by the said Chapter 86, so as to authorize such associations and corporations to create indebtedness and to issue stocks and bonds in the same manner that railroad corporations are permitted to do under the provisions of the Railroad Stock and Bond Law of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 4, of Chapter 86, of the General Laws of the Thirty-second Legislature of the State of Texas, is hereby amended so as to hereafter read as follows:

Sec. 4. Said Railroad Commission shall have the same power to make and prescribe rules and regulations for the government and control of all such persons, associations and corporations as is or may be conferred upon said Commission for the regulation of railroad companies, and such persons, associations and corporations shall issue no stock or bonds, except such as are authorized by the Railroad Commission under the provisions of the Railroad Stock and Bond Law of this State. And such persons, associations and corporations are hereby expressly authorized to create indebtedness and to issue stocks and bonds to the same extent and amount that railroad corporations are permitted to do under the provisions of the Railroad Stock and Bond Law of Texas, and the Railroad Commission of Texas shall have and exercise the same power, jurisdiction and authority over and with respect to such creation of indebtedness and

issuance of stocks and bonds by such persons, associations and corporations, that said Commission has and exercises over the creation of indebtedness and the issuance of stock and bonds by railroad corporations under the laws of said State.

Sec. 2. The fact that by reason of the uncertainty of the law it is impossible for corporations of the kind mentioned in Section 1 of this Act to market their bonds for the purpose of providing funds for the erection of public wharves, docks and piers and other property incidental to the use thereof creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days be suspended, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in
Called Session:

I hereby respectfully submit for your consideration a bill, hereto attached, involving the relieving of the Sugar Land Railway Company from the necessity of rebuilding and constructing about three and one-half miles of its road in Fort Bend county, Texas, as ordered by the court in a judgment entered in the cause of the State of Texas vs. The Sugar Land Railway Company, together with such amendments, provisions and conditions as the Legislature may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

A BILL
To be entitled

An Act relieving the Sugar Land Railway Company from the necessity of rebuilding and constructing about three and one-half miles of its road in Fort Bend county, Texas, as ordered by the court in a judgment entered in the cause of the State of Texas vs. The Sugar Land Railway Company, No. 28,875, originating in the district court of Travis county, Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Sugar Land Railway Company is hereby relieved from

the necessity of rebuilding and constructing about three and one-half miles of its road in Fort Bend county, Texas, from a point where an extension of same begins, to Arcola, which was removed by permission of the Railroad Commission of Texas, by order duly made and entered on the 24th day of June, 1911, and which order was, before and without notice and after said track had been removed, rescinded by the Railroad Commission of Texas on the 3rd day of July, 1911, and which track the Sugar Land Railway Company was ordered to rebuild and construct by the court in a judgment entered in the cause of the State of Texas vs. The Sugar Land Railway Company, No. 28,875, originating in the district court of Travis county, Texas.

Sec. 2. The fact that the time, when the mandatory injunction provided for in the judgment in the case of the State of Texas vs. The Sugar Land Railway Company will have to issue, is limited, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in full force and effect from and after its passage, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in
Called Session:

I herewith respectfully submit for your special consideration a bill, involving the question of granting permission to Imperial Sugar Company, a corporation, incorporated under the laws of Texas, to bring suit against the State of Texas, for certain items specified in the bill, hereto attached, together with such conditions, additions and provisions as the Legislature may in its discretion provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

A BILL
To be entitled

An Act granting permission to Imperial Sugar Company, a corporation, incorporated under and by virtue of the laws of the State of Texas, located at Sugarland, Fort Bend county, Texas, to bring suit

in the district court of Travis county, Texas, against the State of Texas for the recovery of certain sums of money advanced and for merchandise and personal property sold and delivered to the Board of Prison Commissioners of the State of Texas for and in behalf of the State, and to recover damages for breach of contract existing between said Imperial Sugar Company and said Board of Prison Commissioners for and in behalf of the State, and for waste and destruction committed by said Board of Prison Commissioners upon the plantation and properties, real and personal, of Imperial Sugar Company while in the possession of and under the control of said Board of Prison Commissioners in behalf of the State of Texas as lessee, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Imperial Sugar Company, private corporation, incorporated under and by virtue of the laws of the State of Texas, located at Sugarland, Fort Bend county, Texas, is hereby granted permission to bring suit against the State of Texas for the recovery of the following sums of money:

(a) For money advanced, labor performed, merchandise and supplies furnished and services rendered in racking cars, \$22,967.38.

(b) For loss of 12,500 tons of cane belonging to the Imperial Sugar Company on account of failing to harvest in proper time, \$50,000.00.

(c) For loss in manufacturing 12,500 tons of cane belonging to the State at contract price, \$25,000.00.

(d) For damage to fences belonging to Imperial Sugar Company while plantations were in charge of the Prison Commission, \$28,304.00.

(f) To damages to buildings, \$750.00.

(g) To damages to roads and turnrows, \$14,152.00.

(h) To damages to tram cars, \$1,132.50.

(i) To damages to harness, implements, tools, etc., \$4,000.00.

(j) To clearing 25,000 tons of frozen cane from ground left by Prison Commission, \$18,750.00.

(k) To loss on sorghum crop not gathered in proper time, \$7,500.00.

(l) To loss on cotton not picked, \$2,500.00.

(m) To cost of removing sorghum, \$1,000.00.

(n) To loss in Ramsey cane contract on account of Commissioners failing to comply with the terms thereof, \$10,000.00.

(o) The loss of profit on 17,000 tons sugar cane sold by Commission to Arcola Sugar Company in 1912 and 1913 in violation of contract, \$68,000.00.

Sec. 2. That the said Imperial Sugar Company shall avail itself of the right to bring suit within two years from and after the passage of this Act, and not thereafter.

Sec. 3. That said suit may be brought in the district court of Travis county, either in the Twenty-sixth or Fifty-third Judicial District, of Texas, at the option of said Imperial Sugar Company, and said suit may be tried as ordinary suits against individuals in similar causes of action. Provided, that no writ of attachment or other ancillary process shall issue pending this suit, and should the Imperial Sugar Company recover final judgment in such suit, no execution or other writ shall be levied upon any of the properties of the State of Texas or the Prison Commission, but said judgment shall wait satisfaction by Act of the Legislature making the necessary appropriation therefor.

Sec. 4. The length of time that has elapsed since the merchandise and labor has been furnished the State through the Prison Commission and the damages incurred and the importance to the parties at interest creates an emergency that this Act take effect from and after its passage, and it is so enacted, and the same conditions and shortness of the term of this Session and the condition of the calendar, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is so suspended.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in Called Session:

I hereby submit for your consideration a bill, hereto attached, having for its purpose to amend Chapter 26 of the Acts of the First Called Session of the Thirty-third Legislature, authorizing the Commissioner of the General Land Office to sell and condi-

tionally relinquish to J. J. Kane, of the city of Galveston, 87 acres of land, more or less, of the public domain, lying in Galveston county, Texas, on condition that same is to be used for the establishment of dry docks in the said city of Galveston, Texas.

Upon a recent visit to Galveston, I went and made a personal inspection of the land pertaining to the subject matter of this legislation, and I am of the opinion that it would be to the best interest of the State to encourage the building of dry docks in the manner proposed in the bill hereto attached.

Texas has a long coast line—greater perhaps than any other State in the Union, and in view of the completion of the Panama canal we are destined to have many important ports of entry. Our shipping facilities will undoubtedly increase from year to year, we will thereby become more important in shipping commerce from year to year. I was amazed to learn lately that there is no place for the repair of boats in Texas, and one of limited facility for this work at New Orleans, and in reality there are no adequate dry dock facilities this side of Norfolk, Virginia. By encouraging the building of dry docks in Texas many thousands of dollars will come to Texas in one form or another that now goes elsewhere.

I trust that you will give this legislation your favorable consideration.

Respectfully submitted,

JAS. E. FERGUSON,
Governor of Texas.

A BILL

To be entitled

An Act to amend Chapter 26 of the Acts of the First Called Session of the Thirty-third Legislature, authorizing the Commissioner of the General Land Office to sell and conditionally relinquish to J. J. Kane, of the city of Galveston, his heirs or assigns, for the purpose of constructing a dry dock or marine railway thereon, all right, title and claim in the State of Texas to certain flats or lands under water on the shores of Galveston Bay, so as to provide for the sale and conveyance of said property in consideration of the erection of a dry dock or marine railways at a cost of not less than one hundred and fifty thousand (\$150,000.00) dol-

lars, and the payment to the State of Texas of the price agreed upon as herein provided, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Commissioner of the General Land Office of the State of Texas is hereby authorized to sell and patent to J. J. Kane, now residing in the city of Galveston, Texas, his heirs or assigns, for the purpose of the erection thereon of a dry dock or marine railways, all the right, title, interest and claim which the State of Texas has in and to the submerged flats or land under water on the shores of Galveston Bay, in Galveston county, Texas, the purchase price to be agreed upon by and between the said J. J. Kane, his heirs or assigns, and a board, which is hereby created, consisting of the Governor of the State of Texas, or the Lieutenant Governor, in case of the inability of the Governor to act; the Land Commissioner and the Attorney General, which said submerged flats or land under water are described by metes and bounds as follows:

Beginning at the northeasterly corner of lot No. 50, in Section 1, on Galveston Island, as shown by the Trimble & Lindsey survey of Galveston Island; thence north 25 degrees 30 minutes west with the prolongation of the east line of said lot No. 50, a distance of 2750 feet to the point of intersection with the harbor line as now established, or as may be hereafter established; thence in a westerly direction with the said harbor line a distance of 1,400 feet to the point of intersection with the prolongation of the west line of lot No. 52 of said Section No. 1, as shown by said survey; thence in southeasterly direction parallel with the prolongation of the east line of said lot No. 50, distance of 2,700 feet to the northwest corner of lot No. 502; thence in an easterly direction with the northerly lines of lots Nos. 502, 51 and 50, to the place of beginning, containing eighty-seven acres, more or less.

Sec. 2. When the said purchaser of the property above described shall pay to the Treasurer of the State of Texas the price agreed upon, as herein provided, for said property and signify his desire to begin the erection of said dry dock or marine railways, the Commissioner of the General Land Office of the State of Texas

is hereby authorized to execute and deliver to the said J. J. Kane, his heirs or assigns, a proper instrument conveying to said purchaser any and all the right, title or claim of the State of Texas in and to the hereinbefore described submerged flats, or land under water, for the purpose herein provided.

Sec. 3. That the grant hereby made is on the condition that the said purchaser will within six months from the date of the execution of the conveyance of said land, as herein provided, begin the work of constructing said dry dock or marine railways, and will expend in the erection of a dry dock or marine railways the sum of not less than one hundred and fifty thousand (\$150,000.00) dollars within five years from the passage of this Act, and shall make such additional improvements in said dry dock and marine railways as from time to time may be necessary to supply the demands of the port of Galveston with adequate dry dock facilities, and failing in which the rights, herein granted, shall become void, and the property herein described shall revert to the State.

Sec. 4. The fact that there are no dry docks or marine railways of sufficient size to accommodate the army transports and large ocean-going vessels visiting the ports of Texas, and the great and urgent demand for adequate dry docks and marine ways at the port of Galveston, causing a loss in material and labor of several hundred thousand dollars annually, creates an emergency, and an imperative public necessity exists, and that the constitutional rule requiring bills to be read on three several days should be suspended, and the same is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature, in Called Session:

At the request of Senator Johnson, I herewith submit for your special consideration a bill, hereto attached, to amend Section 1, Chapter 23, of the Local and Special Laws passed by the Regular Session of the Thirty-fourth Legislature, same relating to the Happy Independent School District in Swisher and Ran-

dall counties, together with such amendments, conditions and provisions as your honorable body may see fit to enact.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

By Johnson.

S. B. No. —

A BILL

To be entitled

An Act to amend Section 1, Chapter 23, of the Local and Special Laws passed by the Regular Session of the Thirty-fourth Legislature, entitled "An Act creating the Happy Independent School District, in Swisher and Randall counties, Texas, defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1, of Chapter 23, of the Local and Special Laws passed by the Regular Session of the Thirty-fourth Legislature, shall hereafter read as follows:

That the Happy Independent School District is hereby created in Swisher and Randall counties, Texas, containing within its limits the following described territory, to wit:

Beginning at the southeast corner of survey No. 13, block No. M9, in Swisher county, Texas; thence north about five miles to the northeast corner of survey No. 9, block M9, in Randall county, Texas; thence west about seven miles to the northwest corner of survey No. 4, block M6, in Randall county, Texas; thence south about five miles to the southwest corner of survey No. 8, block M6, in Swisher county, Texas; thence east about seven miles, to place of beginning, containing approximately thirty-five sections of land, twenty-eight of which are in Swisher county, Texas, and seven of which are in Randall county, Texas.

Sec. 2. The near approach of the close of this Session of the Legislature, and the inadequate public free school facilities in the territory hereby incorporated for free school purposes only, create an emergency, and an imperative public necessity that the constitutional rule requir-

ing bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,
Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

At the request of Senator Hall, I herewith submit for your special consideration an Act, hereto attached, pertaining to jail guards and compensation for their services, together with such amendments, conditions and provisions as the Legislature may, in its wisdom, provide.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

A BILL

To be entitled

An Act to amend Article 1908 (1066), of Chapter 3, of the Code of Criminal Procedure of the Revised Statutes of 1895, relating to the pay of jail guards, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1098 (1066) of the Code of Criminal Procedure of the Revised Statutes of 1895, of the State of Texas, be amended to read as follows:

Article 1098 (1066). The sheriff shall be allowed for each guard necessarily employed in the safe keeping of prisoners one dollar and fifty cents for each day, and there shall not be any allowance made for the board of such guard, nor shall any allowance be made for jailer or turnkey, except in counties having forty thousand population or more. In such counties of forty thousand population or more, the commissioners may allow each jail guard, jailer or turnkey two dollars and fifty cents per day.

Sec. 2. The fact that said guards, jailers or turnkeys are now working for less than living wages, creates an emergency and an imperative public necessity exists authorizing the suspension of the constitutional rule requiring that bills be read on three several days, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Governor's Office,

Austin, Texas, May 17, 1915.

To the Thirty-fourth Legislature in Called Session:

At the request of Mr. Bell and Senator Johnson of your body, I herewith respectfully submit for your consideration a bill, hereto attached, creating the Crowell Independent School District of Foard County, Texas, together with such amendments, conditions and provisions as the Legislature, in its discretion, may deem appropriate.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

A BILL

To be entitled

An Act creating the Crowell Independent School District of Foard County, Texas, for school purposes; giving the board of trustees of the said district power and jurisdiction over said lands and territories and the inhabitants thereof; requiring such board of trustees to levy, assess and collect and pay to the treasurer annually a proportionate part of the tax fund existing on the part of said territory, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Crowell Independent School District is hereby created and established in Foard County, Texas, including and within the limits of that said territory described by metes and bounds, as follows:

The territory beginning in the N. W. corner of Section 503, Block A, of the H. & T. C. Ry. Co. survey in said county; thence S. 1900 varas to the S. E. corner of said Section No. 503; thence W. 1900 varas to the S. W. corner of said Section No. 503; thence S. 5700 varas to the S. W. corner of Section No. 500, Block A, of the said H. & T. C. Ry. Co. survey; thence E. 1900 varas to the S. E. corner of Section No. 500; thence S. 3800 varas to the S. W. corner of Section No. 487, Block A, of the said H. & T. C. Ry. Co. survey in said county; thence E. 3800 varas to a point; thence N. 1900 varas; thence 27,600 varas to a point; thence N. 9500 varas to the S. E. corner of the Section 390; thence W. 1900 varas to the S. E. corner of Section No. 405; thence N. 1900 varas to the N. E.

corner of said Section 405; thence W. 9500 varas to the N. W. corner of Section No. 481; thence S. 1900 varas to the place of beginning, and containing forty (40) sq. miles; all of said sections of land being in the H. & T. C. Ry. Co. survey in Foard County.

Sec. 2. That the Crowell school, which is situated in the said boundaries, shall hereby be divested of the control of the public free schools within its limits and the said Crowell Independent School District shall hereby be invested with exclusive control of the public free schools within the limits of said districts as hereinbefore defined; and the present board of trustees of the Crowell school within said limits are hereby made the board of trustees of the Crowell Independent School District, and the terms of office of said members of said board shall expire under this Act at the same time as if this independent school district had not been created, and their successors shall hereafter be elected as provided by the General Laws of the State of Texas, and the title and right to all properties owned, held, set apart or otherwise dedicated to the use of public schools of said Crowell school, hereafter vested in the authorities of said Crowell Independent School District, shall be and are hereby vested in the board of trustees of the Crowell Independent School District and their successors in office.

Sec. 3. That the said Crowell Independent School District shall have and exercise and is hereby vested with all the rights, powers, privileges and duties of the Crowell school incorporated under the General Laws of the State of Texas for free school purposes only; and the board of trustees of the said Crowell Independent School District shall have and exercise and is hereby vested and charged with all the rights, powers and privileges and duties conferred and imposed by the General Laws of this State upon the trustees of independent school districts created and organized under the General Laws of this State.

Sec. 4. The school or schools, and the funds of same, included within the boundaries of the above described district shall not be affected for the school year of 1915-1916 by this Act, but the taxes levied for the support of such school or schools for such year shall not be diverted from the

school or schools for which they were levied or collected because of this Act. And the bonds and taxes voted or levied for the support and maintenance of the Crowell school shall remain in full force and effect for the said Crowell Independent School District.

Bills and Resolutions.

By Senator Johnson:

S. B. No. 14, A bill to be entitled "An Act to amend Section 1, Chapter 23, of the Local and Special Laws passed by the Regular Session of the Thirty-fourth Legislature, entitled 'An Act creating the Happy Independent School District in Swisher and Randall Counties, Texas; defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated under the general laws, and declaring an emergency.'"

Read first time and referred to Committee on Educational Affairs.

By Senator McNealus:

S. B. No. 15, A bill to be entitled "An Act providing that any corporation now or hereafter organized under the laws of this State authorized to construct, acquire and operate electric railways, commonly known as interurban railways, shall have the power to purchase, lease or acquire the physical property, rights and franchises of any corporation owning suburban or street railways and giving to such corporations so acquired, leased or purchased the right and power to sell or dispose of its properties to such purchasing corporation, all upon such terms as may be agreed upon between the boards of directors of the respective corporations; provided, that in case of said street car railways the consent of the city council, board of commissioners or other governing body, as the case may be, of the city where such street car line may be located, must first be obtained, and also authorized or approved by a majority of the stockholders; and to provide that such corporation may enter into trackage or lease contracts with owners of street railways for passage into or through such towns or cities, the city council, board of commissioners, or other governing body, consenting thereto."

Read first time and referred to

Committee on Internal Improvements.

By Senator Bailey of DeWitt:

S. B. No. 16, A bill to be entitled "An Act to make it unlawful for any person, firm or private corporation within this State to divert the natural flow of the surface waters in this State or to permit such a diversion to continue after the passage of this Act, or to impound any waters or to permit the impounding thereof to continue after the passage of this Act in such a manner as to damage the property of another; and to provide that in all such cases the injured party shall have remedies, both in law and equity, including damages occasioned thereby, and declaring an emergency."

Read first time and referred to Committee on Irrigation and Drainage.

By Senator Bailey of DeWitt:

S. B. No. 17, A bill to be entitled "An Act to create a more efficient road law for Wilson County, Texas, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 18, A bill to be entitled "An Act to create and establish the County of Lanham, in honor of S. W. T. Lanham, taken from the existing territory of Duval County; prescribing its area and boundaries; appointing commissioners to organize said county, and prescribing their duties; providing for a division of said county into commissioners, election and justice precincts, and defining the boundaries of same, and authorizing the changing of same by the commissioners court under the general laws; providing for the holding of county and precinct elections for the election of county and precinct officers and providing for the location of the county seat of said county; providing for the attachment of said county to judicial, representative, senatorial and congressional districts and supreme districts; providing for the assessment and collection of taxes and for the defraying of expenses of organizing said new county, and providing for the new county to pay its pro rata share of the debts of the county from which it is taken; providing that Duval County shall pay one-half the expenses of surveying and marking the boundary line between it and the new county; providing for the

payment by Duval County to the new county of all the funds collected from the sale of school land situated in the new county, and one-half of the available school funds; providing for the payment of teachers of the public schools of the new county until the close of the present scholastic year; providing for the payment by Duval County to the new county one-half of all county funds on hand at the time this bill takes effect, and providing for the manner of paying said county funds to the new county; providing for the transfer of certain suits from the District Court of Duval County to the new county; providing that the new county shall be subject to the general laws of the State, except where otherwise stated herein; providing for the jurisdiction of the county court and the district court; providing that all laws or parts of laws in conflict herewith shall have no application; providing that the elimination of a portion of this Act by the courts shall not affect the remaining portions, and declaring an emergency."

Read first time and referred to Committee on Counties and County Boundaries.

By Senators Hall and Bailey of Harris:

S. B. No. 19, A bill to be entitled "An Act to reorganize the Twenty-third Judicial District of Texas and to create the Eightieth Judicial District of Texas, and to fix the time of holding the courts in said districts; and to fix the jurisdiction of the court for the Eightieth Judicial District of the State of Texas, and to provide for the appointment of a district judge for said Eightieth Judicial District," etc.

Read first time and referred to Committee on Judicial Districts.

By Senator Hall:

S. B. No. 20, A bill to be entitled "An Act to amend Section 4, of Chapter 86, of the General Laws of the Thirty-second Legislature of the State of Texas, relating to the issuance of stocks and bonds by the associations and corporations brought under the jurisdiction of the Railroad Commission by the said Chapter 86, so as to authorize such associations and corporations to create indebtedness and to issue stocks and bonds in the same manner that railroad corporations are permitted to do under the provisions of the railroad stock

and bond law of Texas, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Hudspeth:

S. B. No. 21, A bill to be entitled "An Act to amend Article 1372, Chapter 12, Title 17, of the Revised Penal Code of Texas, and Article 7184, Chapter 3, Title 124, of the Revised Civil Statutes of Texas, which chapters relate to the regulation of the butcher business, and to the detection of persons illegally handling and butchering of animals, and prescribing bond, rules and regulations and penalties in connection therewith; said articles amended hereby name a large number of counties as being exempt from the provisions of said chapters, and it is the purpose of this Act to reduce the number of counties so exempt, and declaring an emergency."

Read first time and referred to Committee on Stock and Stockraising.

By Senator Page:

S. B. No. 22, A bill to be entitled "An Act relieving the Sugarland Railway Company from the necessity of rebuilding and constructing about three and one-half miles of its road in Fort Bend County, Texas, as ordered by the court in a judgment entered in the cause of the State of Texas vs. The Sugarland Railway Company, No. 28,875, originating in the District Court of Travis County, Texas, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Message From the President of the United States.

The White House,
Washington, May 12, 1915.

My Dear Mr. Howerton:

The President directs me to acknowledge the receipt of your telegram of May 10, and to express his profound appreciation of the action of the Senate of Texas in its generous expression of confidence and support. He asks me to say to you that such messages hearten him greatly.

Sincerely yours,

J. F. TUMULTY,

Secretary to the President.

Hon. W. V. Howerton, Secretary of the Senate of Texas, Austin, Texas.
Morning call concluded.

6—Senate

Senate Bill No. 18.

Senator Parr called up Senate Bill No. 18, by unanimous consent, and moved that the Senate rule requiring committee reports to lie over for one day be suspended, for the purpose of considering this bill (see Appendix for committee report).

The motion was adopted.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended, and Senate Bill No. 18 put on its second reading and final passage by the following vote:

Yeas—23.

Astin.	King.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Nugent.
Clark.	Page.
Cowell.	Parr.
Hall.	Robbins.
Harley.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.
Johnson.	

Present—Not Voting.

Conner.

Absent.

Bailey of DeWitt.	McCollum.
Darwin.	Morrow.
Gibson.	Smith.
Lattimore.	

The Chair laid before the Senate, on second reading.

S. B. No. 18, A bill to be entitled "An Act to create and establish the County of Lanham, in honor of S. W. T. Lanham, taken from the existing territory of Duval County; prescribing its area and boundaries; appointing commissioners to organize said county, and prescribing their duties; providing for a division of said county into commissioners, election and justice precincts, and defining the boundaries of same, and authorizing the changing of same by the Commissioners Court under the general laws; providing for the holding of county and precinct elections for the election of county and precinct officers and providing for the location of the county seat of said county; providing for the attachment of said county to judicial, representative, senatorial and congressional districts and supreme districts; provid-

ing for the assessment and collection of taxes and for the defraying of expenses of organizing said new county, and providing for the new county to pay its pro rata share of the debts of the county of which it is taken; providing that Duval County shall pay one-half the expenses of surveying and marking the boundary line between it and the new county; providing for the payment by Duval County to the new county of all the funds collected from the sale of school land situated in the new county, and one-half of the available school funds; providing for the payment of teachers of the public schools of the new county until the close of the present scholastic year; providing for the payment by Duval County to the new county one-half of all county funds on hand at the time this bill takes effect, and providing for the manner of paying said county funds to the new county; providing for the transfer of certain suits from the District Court of Duval County to the new county; providing that the new county shall be subject to the general laws of the State, except where otherwise stated herein; providing for the jurisdiction of the county court and the district court; providing that all laws or parts of laws in conflict herewith shall have no application; providing that the elimination of a portion of this Act by the courts shall not affect the remaining portions, and declaring an emergency."

The committee report was adopted. The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended, and Senate Bill No. 18 put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Johnson.
Bailey of Harris.	King.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Nugent.
Cowell.	Parr.
Darwin.	Robbins.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Henderson.	Wiley.
Hudspeth.	

Absent.

Bailey of DeWitt.	McCollum.
Conner.	Morrow.
Gibson.	Page.
Lattimore.	Smith.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—25.

Astin.	Johnson.
Bailey of Harris.	King.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Hall.	Smith.
Harley.	Townsend.
Harris.	Westbrook.
Henderson.	Wiley.
Hudspeth.	

Nays—1.

Suiter.

Absent.

Bailey of DeWitt.	McCollum.
Gibson.	Morrow.
Lattimore.	

Senator Parr moved to reconsider the vote by which Senate Bill No. 18 was passed, and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 11.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

H. B. No. 11, A bill to be entitled "An Act to provide for the purchase of certain lands and improvements thereon in Washington County, Texas, the same being lands upon which there has been erected a monument commemorating the fact that at said point was located the first capitol of Texas, etc., making an appropriation therefor, and declaring an emergency."

(Senator Hudspeth in the Chair.)

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was

suspended, and House Bill No. 11 put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Johnson.
Bailey of Harris.	King.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Henderson.	Wiley.
Hudspeth.	

Absent.

Bailey of DeWitt.	McCollum.
Lattimore.	Morrow.

The bill was laid before the Senate, read third time and passed.

Senator Page moved to reconsider the vote by which House Bill No. 11 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 14.

Senator Johnson asked unanimous consent to take up Senate Bill No. 14, and there was objection.

Senator Johnson moved to suspend the regular order of business and take up, out of its order, Senate Bill No. 14.

The motion was adopted by the following vote:

Yeas—23.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Nugent.
Bee.	Page.
Brelsford.	Parr.
Conner.	Robbins.
Cowell.	Smith.
Darwin.	Suiter.
Hall.	Townsend.
Harris.	Westbrook.
Henderson.	Wiley.
Hudspeth.	

Nays—3.

Clark.	McNealus.
McGregor.	

Absent.

Gibson.	McCollum.
Harley.	Morrow.
Lattimore.	

On motion of Senator Johnson, the Senate rule requiring committee reports to lie over for one day was suspended. (See Appendix for committee report.)

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and Senate Bill No. 14 put on its second reading and final passage by the following vote:

Yeas—25.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	McGregor.
Bee.	Nugent.
Brelsford.	Page.
Clark.	Parr.
Conner.	Robbins.
Cowell.	Smith.
Darwin.	Suiter.
Hall.	Townsend.
Harris.	Westbrook.
Henderson.	Wiley.
Hudspeth.	

Absent.

Gibson.	McCollum.
Harley.	McNealus.
Lattimore.	Morrow.

The Chair laid before the Senate, on second reading,

S. B. No. 14, Happy Independent School District in Swisher and Randall Counties.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and Senate Bill No. 14 put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Harris.
Bailey of DeWitt.	Henderson.
Bailey of Harris.	Hudspeth.
Bee.	Johnson.
Brelsford.	King.
Clark.	McCollum.
Conner.	McGregor.
Cowell.	McNealus.
Darwin.	Nugent.
Hall.	Page.

Parr.	Townsend.
Robbins.	Westbrook.
Smith.	Wiley.
Suiter.	

Absent.

Gibson.	Lattimore.
Harley.	Morrow.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—29.

Astin.	King.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harris.	Townsend.
Henderson.	Westbrook.
Hudspeth.	Wiley.
Johnson.	

Absent.

Harley.	Lattimore.
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Senator Johnson moved to reconsider the vote by which Senate Bill No. 14 was passed, and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 7.

The Chair laid before the Senate, on second reading,

S. B. No. 7, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, as follows, to wit: University of Texas, Agricultural and Mechanical College, State Experimental Station, Prairie View Normal, College of Industrial Arts for Women, Sam Houston Normal Institute, North Texas State Normal, Southwest Texas Normal School, and West Texas Normal School, and declaring an emergency."

The committee report, recommending a substitute bill, was adopted.

Senator Cowell offered the following amendment:

Amend the bill by striking out all

after the enacting clause and inserting in lieu thereof the following.

The same being the original bill, as introduced, and as prepared by the subcommittee of the Finance Committee, and that the amendment be not printed in the Journal.

After discussion, action recurred on the amendment, and the same was lost by the following vote:

Yeas—13.

Clark.	Johnson.
Conner.	Lattimore.
Cowell.	McNealus.
Gibson.	Page.
Hall.	Suiter.
Harris.	Westbrook.
Henderson.	

Nays—13.

Astin.	McGregor.
Bailey of Harris.	Nugent.
Bee.	Parr.
Brelsford.	Smith.
Darwin.	Townsend.
Hudspeth.	Wiley.
McCollum.	

Present—Not Voting.

Bailey of DeWitt.	Morrow.
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Absent.

Harley.	Robbins.
King.	

Recess.

Senator Brelsford, at 12:40 o'clock p. m., moved that the Senate recess until 4 o'clock p. m. today.

Senator McNealus moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion to adjourn was lost.

The motion to recess was adopted.

After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Wiley.

Messages From the Governor.

Governor's Office,
Austin, Texas, May 18, 1915.

To the Thirty-fourth Legislature in Called Session:

The Constitution of the United

States provides: That within every subsequent term of ten years after the first meeting of the Congress of the United States that the respective Legislatures of each State may divide each State into congressional representative districts, based upon the actual enumeration of population by the last Federal census. Said Constitution of the United States also provides that the Legislatures of the respective States may provide the times, place and manner of holding elections for representatives to represent said representative districts in the United States Congress.

More than ten years having elapsed since a division of the State of Texas into representative districts, I, therefore, submit for your respectful consideration the sole question of proper legislation, looking to the division and apportionment of the State into representative districts, from which representatives are to be elected to represent said districts in the Congress of the United States.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Governor's Office,
Austin, Texas, May 18, 1915.

To the Thirty-fourth Legislature in Called Session:

I herewith respectfully submit for your consideration a bill, hereto attached, same being "An Act granting to the City of Corpus Christi, Texas, all right, title and interest of the State of Texas to certain lands lying and being situated under the waters of Corpus Christi Bay, and belonging to the State of Texas," together with such terms, provisions and conditions as the Legislature may, in its wisdom, prescribe.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas

A BILL
To be entitled

An Act granting to the City of Corpus Christi, Texas, all right, title and interest of the State of Texas to certain land lying and being situated under the waters of Corpus Christi Bay, and providing for a consideration to be paid the State, and granting to said City of Corpus Christi the right, power and authority to construct, own and maintain certain sea walls, break

waters and dams, and to fill in the space between the main land and said sea walls, break waters and dams with sand, dredge spoil or other material, and granting to the City of Corpus Christi the right to take from Corpus Christi Bay such sand, dredge spoil or other material as may be necessary or desirable for filling in said space; and authorizing said City of Corpus Christi to remove and abate any encroachments or structures existing on said property east of a line, fixing the limit of riparian rights and to bring such suit or suits as may be necessary to carry out the provisions of this Act; and granting to said City of Corpus Christi the right to purchase, construct, own and maintain piers and wharves and to grant franchises therefor into the waters of Corpus Christi Bay beyond said sea walls, break waters and dams upon vote of the people of the said city, and to establish a commercial district; also granting to the shore owners certain lands in lieu of their littoral rights, and providing for consideration to be paid to the State for such lands, and for patents to be issued and for reversion to the State of the grant in case of failure to perform its conditions, and granting the right of eminent domain, and reserving all mineral right to the State.

Be it enacted by the Legislature of the State of Texas:

Section 1. All the right, title and interest of the State of Texas to all of the land hereinafter in this section described lying and being situated under the waters of Corpus Christi Bay, and within the corporate limits of the City of Corpus Christi, Texas, except that portion of the same hereinafter in Section 2, granted to the abutting property owners, is hereby granted to the City of Corpus Christi, Texas, for public purposes only except as hereinafter otherwise provided, said land so granted under this section being described as follows: All of the land under the waters of Corpus Christi Bay, between the northern and southern boundary lines of said City of Corpus Christi, and extending in an easterly direction from the present shore line, at right angles thereto, a distance of 660 feet; the present shore line shall be considered the line of natural contact between the land and the waters of

said bay at average high tide as evidenced by elevation zero of the datum plane as established by the Federal Government and adopted by the City of Corpus Christi; for the purposes contemplated herein the shore line between Starr Street and Power Street shall be held to be coincident with the east line of Water Street between said points.

Sec. 2. All the right, title and interest of the State of Texas in the tract of land hereinafter described, and being a portion of the tract of land described in Section 1 hereof, lying and being situated under the waters of Corpus Christi Bay and within the limits of the City of Corpus Christi, Texas, except that portion covered by extensions of the streets of said city over said tract, is hereby granted to the persons who have fee simple title to the property abutting upon the waters of said bay within said area, subject, however, to the further provisions of this Act. By abutting property as used in this Act is meant property, the eastern boundary of which is washed by the waters of Corpus Christi Bay, or which abuts upon a street the eastern boundary of which is washed by the waters of said bay. Each abutting property owner as defined by this grant shall be entitled to the right, title and interest of the State in that portion only of said submerged lands herein granted included within an extension of the northern and southern boundary lines of his abutting property (after allowing full sixty feet for any intervening street) extended for 300 feet between parallel lines over said submerged lands. Said land so granted under this section being described as follows:

Commencing at a point on the south boundary line of said city, which is 300 feet easterly from and at right angles to the east line of Ocean Drive, run thence in a northerly direction along lines which shall be parallel to and 300 feet distant from the east line of Ocean Drive, Bay View Avenue and Water Street to a point in the south line of Power Street projected easterly into the bay, which is 300 feet east of the east line of Water Street; thence continue along a line running northerly which is 300 feet distant from and parallel to a line drawn from the southeast corner of Power and Water Streets to the northeast corner of Block 93, beach portion of the city, to a point

which is 300 feet distant from aforesaid line and also 300 feet distant from a line drawn from the northeast corner of Block 93, beach portion of the southeast corner of Avenue A and Thirteenth Street; thence continue in a northerly direction along a line which is 300 feet distant from and parallel to a line drawn from the northeast corner of Block 93, beach portion of the city, to the southeast corner of Avenue A and Thirteenth Street, to a terminal in the north boundary line of said city.

For the purposes contemplated in this bill, the east line of Bay View Avenue, between Buford Avenue and Furman Avenue, shall be considered a line joining the east line of Bay View Avenue on Buford Avenue, with the east line of Water Street north on Furman Avenue.

Sec. 3. The City of Corpus Christi, Texas, is hereby granted the right, power and authority to construct, own and maintain within said territory hereby granted such sea walls, break waters and dams as may be necessary or desirable into the waters of Corpus Christi Bay and to fill in the space between the said sea walls, dams and break waters and the mainland with sand, dredge soil or other material taken from the waters of Corpus Christi Bay, and all area formed by such construction and filling in (except the portion herein granted to the abutting owners) is hereby declared to be the property of the City of Corpus Christi, to be used by said city for public purposes only, and said city shall have the right, power and authority to construct such walks, drives, parks and buildings for public purposes only, and any such building may be rented for purposes of public nature and all proceeds derived from the rental thereof shall be paid into the general fund of the city. Provided, that the city shall not have the right to take any such material from the said bay except so much as shall be necessary to fill in the area herein granted. The filling in of the parcels of submerged lands herein granted to the owners of abutting property shall be at the cost and expense of the said abutting property owner; provided, however, that if any portion of the tracts hereby granted to the abutting property owners shall be the subject matter of litigation at the time said city shall construct said dam, break water or sea wall and the claimants

thereto shall fail to fill in said area, or if at such time the abutting property owner shall fail or refuse to make said fill, then in such event the City of Corpus Christi may fill in the same, and the cost price of the filling thereof shall be a lien upon said property in favor of said city, and in the event the same is not paid within thirty days after said lot is filled the city may foreclose said lien for the cost price and interest thereon at the rate of 6 per cent per annum.

Sec. 4. Within sixty days after the passage and approval of this bill the City of Corpus Christi shall have its city engineer to survey and locate by proper stakes, marks, objects and maps the tract herein granted to the said city as well as the various tracts herein granted to the abutting property owners; said city engineer shall also lay out the projections of the various streets of the city running east and west across the 300 foot strip herein granted to the abutting property owners and shall establish the grades for the fill therein. As soon as said survey is completed by said city engineer, said abutting property owners shall convey to the City of Corpus Christi all of the right, title and interest in and to any of said submerged lands beyond the 300 foot line as well as all riparian, littoral or other rights claimed by them or any of them as a littoral proprietor or proprietors, and shall pay to the city his pro rata share of the purchase price of this grant as hereinafter provided, whereupon the various abutting property owners upon the execution of said deeds may, at their own proper cost and expense, proceed to fill and reclaim said lots as well as the portions of the contiguous streets; provided, said fill shall be made of such materials and upon the grade and in the manner approved by the city council; and shall receive patents for said land as herein otherwise provided.

Sec. 5. Within six months after the passage of this Act, the City of Corpus Christi shall designate by ordinance a space of not less than twenty-one hundred lineal feet along said 600 foot line fixed in Section 1 hereof, as a shipping district, and no commercial wharf or pier of any character shall be permitted or authorized by said city to be built in front of said 600 foot line at any

other point than in front of said twenty-one hundred foot space.

Sec. 6. The City of Corpus Christi is hereby granted the right, power and authority to purchase, own, construct and maintain wharves and piers and to grant franchises to any person, company or corporation for the construction of wharves and piers beyond said wall, break water or dam and into the waters of Corpus Christi Bay beyond said sea wall; provided, however, the said City of Corpus Christi shall not grant any such franchise for any term of years until the question of making such grant shall be first submitted to a vote of the property tax payers of the City of Corpus Christi as shown by the tax rolls of the said city, under the provisions in its charter as it now exists or as same may be at any time hereafter amended. The election to vote upon such question to be held and the returns thereof made as provided for in said charter or amendment thereto and no wharves or piers or structures of any kind shall be constructed, by any one save the City of Corpus Christi, beyond said sea walls, break water or dam into the waters of Corpus Christi Bay except under a franchise granted under the provisions hereof.

Sec. 7. For the purpose of carrying out the provisions of this Act the said City of Corpus Christi is hereby granted the right, power and authority to abate and remove any and all encroachments or structures of any kind now existing on said property, east of said 300 foot line, and west of said line where such encroachments or structure is upon any mapped or platted street between such water blocks, and shall have the right to bring such suit or suits as may be necessary to carry out the provisions of this Act to the same extent and as fully and completely as the State of Texas might bring such suits prior to the passage hereof; provided, however, no suit shall be brought to remove or abate any structure now existing on said property east of said 300 foot line until said sea wall or break water has been completed; provided, further, however, that nothing herein contained shall prevent or prohibit the City of Corpus Christi from bringing such suit or suits as may be necessary or desirable to try the title to any of the land hereby granted west of said 300 foot line at any time it may be

desirable to bring such suits after the going into effect of this Act. Provided, further, that when any such structures have been erected under valid and legal contract with the city by franchise or otherwise, these rights shall not be taken away without compensation under the law of eminent domain as hereinafter provided.

Sec. 8. For the purpose of carrying out the provisions of this Act the City of Corpus Christi shall have and exercise the right of eminent domain to be exercised in the same manner now provided by law for railway companies.

Sec. 9. Upon the completion of the survey by the city engineer hereinbefore provided for, the City of Corpus Christi shall make application to the Commissioner of the General Land Office for the purchase of the tract set forth in Section 1 hereof. Such application shall particularly describe said tract by field notes in accordance with the survey made by said city engineer, and shall be accompanied by the sum of \$2.00 in cash for each and every acre, or fraction thereof, contained in said tract. The Commissioner of the General Land Office shall file said application in his office, and shall send a certified copy thereof to be filed in the deed records of Nueces County, Texas.

Sec. 10. Should the City of Corpus Christi, Texas, fail within ten years after the passage of this Act to complete the sea wall or break water and the filling herein contemplated, the Commissioner of the General Land Office shall then, without further judicial ascertainment, declare such application forfeited, and the said City of Corpus Christi and all abutting property owners as herein defined shall forfeit to the State of Texas all rights acquired hereunder as well as the purchase price paid, and the littoral rights heretofore granted to the city by the abutting property owners shall revert to said abutting property owners. But should said work or improvement be completed within said ten years, a patent shall then be issued by the State of Texas to the City of Corpus Christi, and to each abutting property owner, or their heirs, successors or assigns. No title shall vest in either the City of Corpus Christi or said abutting property owners until said patent is issued; provided, however, that the

said City of Corpus Christi shall, during said period of time, have the right and authority to bring any suit or suits, or to take any other action to prevent any encroachment or trespass upon the land hereinbefore described to the same extent, and as fully and completely as the State of Texas might bring such suits prior to the passage hereof.

Sec. 11. All mineral rights, including oil and gas, existing on said land or under the same, are hereby expressly reserved to the State of Texas.

Bills and Resolutions.

(By unanimous consent.)

By Senator Hall:

S. B. No. 23, A bill to be entitled "An Act to amend Chapter 26 of the Acts of the First Called Session of the Thirty-third Legislature, authorizing the Commissioner of the General Land Office to sell and conditionally relinquish to J. J. Kane of the City of Galveston, his heirs or assigns, for the purpose of constructing a dry dock or marine railways, all title and claim in the State of Texas to certain lands under water on the shores of Galveston Bay, so as to provide for the sale and conveyance of said property in consideration of the erection of a dry dock or marine railways at a cost of not less than one hundred fifty thousand (\$150,000) dollars, and the payment to the State of Texas of the price agreed upon as herein provided, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Clark:

S. B. No. 24, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing same, and providing for the election of a member of the Congress of the United States from each district, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Congressional Districts.

Senate Bill No. 7.

(Pending business.)

Action recurred on the pending business,

S. B. No. 7, the educational institutions appropriation bill.

Senator Brelsford moved that the items be considered in the order in which they appeared in the bill.

Adjournment.

On motion of Senator Lattimore, the Senate, at 4:15 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee Report.

Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was submitted Senate Bill No. 16,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

BRELSFORD, Chairman.

Following is the bill in full:

By Bailey of DeWitt. S. B. No. 16.

A BILL

To be entitled

An Act to make it unlawful for any person, firm or private corporation within this State to divert the natural flow of the surface waters in this State or to permit such a diversion to continue after the passage of this Act, or to impound any waters or to permit the impounding thereof to continue after the passage of this Act, in such a manner as to damage the property of another; and to provide that in all such cases the injured party shall have remedies, both in law and equity, including damages occasioned thereby, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That it shall hereafter be unlawful for any person, firm or private corporation to divert the natural flow of the surface waters in this State or to permit a diversion thereof caused by him to continue

after the passage of this Act, or to impound such waters or to permit the impounding thereof caused by him to continue after the passage of this Act, in such a manner as to damage the property of another, by the overflow of said water so diverted or impounded, and that in all such cases the injured party shall have remedies in both law and equity, including damages occasioned thereby; provided, that the passage of this Act shall in no way affect the construction and maintenance of levees and other improvements for the purpose of controlling floods, overflows and freshets in rivers, creeks and streams, nor the construction of canals for the purpose of conveying waters for irrigation; and, provided, further, that nothing in this Act shall be so construed as to authorize or give authority to persons or corporations owning or constructing canals for irrigation or other purpose, to construct or maintain any canal, lateral canal or ditch in such manner as to obstruct any river, creek, bayou, gully, slough, ditch or other well defined natural drainage.

Sec. 2. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity which requires that the constitutional rule requiring bills be read on three separate days shall be suspended, and said rule is hereby suspended; that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Petitions and Memorials.

Senator Gibson: Telegram, numerously signed by citizens of Dallas, favoring "Gibson" bill.

Senator Smith: Telegram, signed by J. G. Woolworth et al., Carthage, favoring "Gibson" bill; telegram from G. A. Bodenheimer, Longview opposing "Gibson" bill; telegram from M. M. Carroll, Joaquin, Texas, opposing "Gibson" bill; telegram from N. J. Dobbs, Marshall, opposing "Gibson" bill; telegram from J. M. Hoskins et al., Longview, favoring "Gibson" bill; petition from citizens of Gregg County, numerously signed, favoring "Gibson" bill; telegram from M. J. Whitfield et al., Beckville, favoring "Gibson" bill; petition from Carthage opposing "Gibson" bill.

Senator Bee: Letter from L. F.

Robichaux, San Antonio, opposing "Gibson" bill; five letters from various citizens of San Antonio favoring "Gibson" bill, and five telegrams; five letters from the same city favoring "Gibson" bill.

Senator Page: Telegram from Albert Stone et al, Brenham, favoring "Gibson" bill.

Senator McCollum: Telegram from J. E. Yantis, Waco, favoring "Gibson" bill.

Senator Hudspeth: Telegram from San Angelo, signed by Milburn McCarty et al, favoring "Gibson" bill.

Senator Harley: Telegram from Business Men's Club at Seguin favoring "Gibson" bill.

Committee Reports.

Committee Room,
Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 19, A bill to be entitled "An Act to reorganize the Twenty-third Judicial District, and to organize and fix the jurisdiction of the court for the Eightieth Judicial District,"

Have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass, and be not printed.

Nugent, Chairman; Conner, Parr, Darwin, King, Suiter, Gibson, Bailey of Harris.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 15, A bill to be entitled "An Act providing that any corporation now or hereafter organized under the laws of this State, authorized to construct, acquire and operate electric railways, commonly known as interurban railways, shall have the power to purchase, lease or acquire the physical property, rights and franchises of any other corporation organized for like purposes, or to acquire, lease or purchase the

physical properties, rights and franchises of any corporation owning suburban or street railways and giving to such corporation so acquired, leased or purchased the right and power to sell or dispose of its properties to such purchasing corporation, all upon such terms as may be agreed upon between the boards of directors of the respective corporations; provided, that in case of said street car railways, the consent of the city council, board of commissioners, or other governing body, as the case may be, of the city where such street car line may be located, must first be obtained, and also authorized or approved by a majority of the stockholders; and to provide that such corporations may enter into trackage or lease contracts with owners of street railways for passage into or through such towns or cities, the city council, board of commissioners, or other governing body consenting thereto,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bailey of DeWitt, Chairman; McGregor, McNealus, Brelsford, Henderson, Astin, Bee, Westbrook, Smith, Johnson, Parr, Gibson.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Stock and Stockraising, to whom was referred

S. B. No. 21, A bill to be entitled "An Act to amend Article 1372, Chapter 12, Title 17, of the Revised Penal Code of Texas, and Article 7184, Chapter 3, Title 124, of the Revised Civil Statutes of Texas, which chapters relate to the regulation of the butcher business, and to the detection of persons illegally handling and butchering of animals, and prescribing bond, rules and regulations and penalties in connection therewith; said articles amended hereby name a large number of counties as being exempt from the provisions of said chapters, and it is the purpose of this Act to reduce the number of counties so exempt, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the

same back to the Senate with the recommendation that it do pass, but be not printed.

Clark, Chairman; Parr, Johnson, Lattimore, Conner, Suiter, Hudspeth.

(Floor Report, by unanimous consent.)

Senate Chamber,
Austin, Texas, May 18, 1915.

Hon. Jas. R. Wiley, President Pro Tem. of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 18, A bill to be entitled "An Act to create and establish the County of Lanham, in honor of S. W. T. Lanham, and declaring an emergency,"

Have had the same under consideration, and beg leave to report said bill back to the Senate with the recommendation that it do pass and be not printed.

Parr, Chairman; Smith, Gibson, Clark, Cowell, McCollum, Conner.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 14, A bill to be entitled "An Act making an appropriation of the sum of four thousand (\$4,000) dollars, or so much thereof as may be necessary, to cover the expense of printing and publishing House Joint Resolutions Nos. 1, 4, 9 and 34, and Senate Joint Resolutions Nos. 3 and 18, submitted by the Thirty-fourth Legislature in Regular Session, and to cover the cost of printing the ballots to be used in the election to be held on the fourth (4th) Saturday in July, 1915; the expense of printing and distributing the proclamation of the Governor calling said election, and the expense of postage and express used in connection therewith, and declaring an emergency,"

Have had same under consideration, and beg leave to report the same back to the Senate with the recom-

mendation that it do pass, and be not printed.

Cowell, Chairman; Bee, Brelsford, King, Clark, Johnson, Harris.

(Floor Report.)

Senate Chamber,
Austin, Texas, May 17, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred S. B. No. 14, A bill to be entitled "An Act to amend Section 1, Chapter 23, of the Local and Special Laws passed by the Regular Session of the Thirty-fourth Legislature, entitled 'An Act creating the Happy Independent School District in Swisher and Randall Counties, Texas,' and declaring an emergency,"

Have had same under consideration, and we beg to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Bee, Chairman; Johnson, Darwin, Astin, Harley, Robbins, Bailey of Harris.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 18, being "An Act to create and establish the County of Lanham, in honor of S. W. T. Lanham, taken from the existing territory of Duval County, and declaring an emergency," and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, May 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 14, being "An Act to amend Section 1, Chapter 23, of the local and special laws of the Regular Session of the Thirty-fourth Legislature," and find same correctly engrossed.

WESTBROOK, Chairman.